

# The Gazette of India



EXTRAORDINARY

PART II—Section 1

PUBLISHED BY AUTHORITY

No. 2] NEW DELHI, SATURDAY, JANUARY 19, 1957

MINISTRY OF LAW

*New Delhi, the 19th January, 1957*

## THE FOREIGNERS LAWS (AMENDMENT) ORDINANCE, 1957

No. 1 OF 1957

Promulgated by the President in the Seventh Year of the Republic of India.

An Ordinance further to amend the Foreigners Act, 1946, and the Registration of Foreigners Act, 1939.

WHEREAS a Bill further to amend the Foreigners Act, 1946, and the Registration of Foreigners Act, 1939, has been introduced in Parliament, but has not yet been passed;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action to give effect to the amendments proposed in the said Bill;

Now, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. (1) This Ordinance may be called the Foreigners Laws (Amendment) Ordinance, 1957.

Short title  
and com-  
mencement.

(2) It shall come into force at once.

Act 31 of 1946 and Act 16 of 1939 to be temporarily amended.

2. During the period of operation of this Ordinance, the Foreigners Act, 1946, shall have effect subject to the amendments specified in sections 3 to 8; and, the Registration of Foreigners Act, 1939, shall have effect subject to the amendment specified in section 9.

31 of 1946.  
16 of 1939.

Amendment  
of section 2.

3. In the Foreigners Act, 1946 (hereinafter referred to as the Foreigners Act), in section 2, for clause (a), the following clause shall be substituted, namely:—

“(a) “foreigner” means a person who is not a citizen of India;”.

Amendment  
of section 3.

4. In section 3 of the Foreigners Act,—

(a) in sub-section (2), the brackets, letter and words “(g) shall be arrested and detained or confined;” shall be omitted;

(b) in sub-section (3), for the words, brackets and letters “, clause (f) or clause (g)”, the words, brackets and letter “or clause (f)” shall be substituted.

Insertion of  
new section  
3A.

5. (1) After section 3 of the Foreigners Act, the following section shall be inserted, namely:—

Power to  
exempt  
citizens of  
Common-  
wealth coun-  
tries and  
other persons  
from applica-  
tion of Act in  
certain cases.

“3A. The Central Government may, by order, declare that all or any of the provisions of this Act or of any order made thereunder shall not apply, or shall apply only in such circumstances or with such exceptions or modifications or subject to such conditions as may be specified in the order, to or in relation to—

(a) the citizens of any such Commonwealth country as may be so specified; or

(b) any other individual foreigner or class or description of foreigner.”.

(2) A copy of every order made under this section shall be placed on the table of both Houses of Parliament as soon as may be after it is made.

Amendment  
of section 4.

6. In section 4 of the Foreigners Act,—

(a) sub-section (1) shall be omitted;

(b) for sub-sections (3) and (4), the following sub-sections shall be substituted, namely:—

“(3) No person shall—

(a) knowingly assist a person on parole to escape from the place set apart for his residence or knowingly harbour any such person, or

(b) give a person on parole any assistance with intent thereby to prevent, hinder or interfere with the apprehension of such person.

(4) The Central Government may, by order, provide for regulating access to, and the conduct of persons in,

places where persons on parole are restricted, and for prohibiting or regulating the despatch or conveyance from outside such places to or for such persons therein of such articles as may be prescribed.”.

7. In section 5 of the Foreigners Act, in sub-section (5), the word “Royal” shall be omitted. Amendment  
of section 5.

8. Section 10 of the Foreigners Act shall be omitted. Omission of  
section 10.

16 of 1939.

9. In the Registration of Foreigners Act, 1939, in section 2, for clause (a), the following clause shall be substituted, namely:— Amendment  
of section 2.

‘(a) “foreigner” means a person who is not a citizen of India;’.

RAJENDRA PRASAD,  
*President.*

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K. Y. BHANDARKAR,  
*Secy. to the Govt. of India.*

# CORRIGENDUM

In the Gazette of India Extraordinary, Part II, Section 1, dated the 24th December, 1956, in page 1217, for—

“THE MANIPUR (VILLAGE AUTHORITIES IN HILL AREAS)  
ACT, 1956

No. 82 of 1956”

*read*

“THE MANIPUR (VILLAGE AUTHORITIES IN HILL AREAS)  
ACT, 1956

No. 80 of 1956”.